REMARKS

Applicant acknowledges the Second Action of 15 MAR. 2006 and requests reconsideration of the application, as amended.

Responsive to Paragraph 2 of the Action, independent claims 1, 6 and 13 have been amended to use active verbs, thereby clarifying the steps being recited.

Responsive to paragraph 4 of the Action, Applicant respectfully submits that KATSUBE and NOVEN, even if there were motivation to combine them, would not make the subject-matter of claims 1-5 and 13-14 obvious.

KATSUBE/TOSHIBA (USP 5,930,259) teaches to use ATM virtual connections and virtual paths identifiers (VPI/VCI) for IP routing. The Examiner noted on page 5 of the Action that KATSUBE does not teach a synchronous digital network as recited in claim 1. However, the Examiner overlooks that KATSUBE also fails to teach the use of synchronous transport modules, or the use of subunits of synchronous transporter modules to establish virtual connections.

NOVEN/ERICSSON (USP 5,884,297) deals also with ATM networks and teaches that such ATM networks can be established over PDH or SDH or both. NOVEN does not teach the use of subunits of synchronous transportr modules to establish virtual connections. Instead NOVEN teaches ATM VP/VC switching (col. 10, lines 50ff).

An attempted combination of the teachings of KATSUBE and NOVEN, even if successful, would not lead to the present invention. The skilled reader would understand that he/she can establish ATM virtual connections and virtual paths over SDH networks and route IP packets using ATM VPI/VCI as taught by KATSUBE. He would consequently not pack IP packets into synchronous transport modules, but into ATM cells and he would consequently not use subunits of synchonous transport modules (as recited in claims 1 and 6) to establish virtual connections.

ATM is a layer 2 network (switching layer) protocol while SDH is a layer 1 network (physical layer) protocol. Virtual connections in the switching layer **are unrelated** to virtual connections in the physical layer, which can be very simply verified by drawing arrow diagrams of the individual network layers.

The present invention teaches the direct use of layer 1 virtual connections for layer 3 routing. This is not compatible with the teaching of KATSUBE, and there is no motivation in either KATSUBE or NOVEN to omit the layer 2 ATM network and route layer 3 data packets directly into layer 1 virtual connections.

CONCLUSION

In view of the foregoing amendments and comments, it is respectfully submitted that claims 1-16 are now clear, and patentably distinguish over KATSUBE/TOSHIBA, NOVEN/ERICSSON, BHASKAR/RAGULA, and the other art of record, taken singly or in combination.

Although Applicant appreciates the indication of allowable subject-matter in dependent claims 6-8 and 9-12, the foregoing argument demonstrates that no rewriting in independent form is necessary, because their parent claims 1 and 6 are in condition for allowance.

If the Examiner detects any remaining informalities which need to be corrected to place the application in condition for allowance, a telephone call to Applicant's counsel is invited.

No extension of time is believed necessary in connection with this submission but, if any is needed, kindly charge the necessary extension fee to our Deposit Account 23-0442.

Respectfully submitted,

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